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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re: USA COMMERCIAL MORTGAGE COMPANY,	Debtor.	Case Nos. BK-S-06-10725 LBR Case Nos. BK-S-06-10726 LBR Case Nos. BK-S-06-10727 LBR Case Nos. BK-S-06-10728 LBR Case Nos. BK-S-06-10729 LBR Chapter 11
In re: USA CAPITAL REALTY ADVISORS, LLC,	Debtor.	Jointly Administered Under Case No. BK-S-06-10725 LBR
In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	Debtor.	DECLARATION IN SUPPORT OF EX PARTE APPLICATION FOR ORDER SHORTENING TIME TO HEAR DEBTORS' MOTION FOR AN ORDER ENFORCING THE AUTOMATIC STAY TO PREVENT FORECLOSURE BY WESTERN UNITED LIFE ASSURANCE COMPANY
In re: USA CAPITAL FIRST TRUST DEED FUND, LLC,	Debtor.	(AFFECTS USA COMMERCIAL MORTGAGE COMPANY, USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, AND USA FIRST TRUST DEED FUND, LLC)
In re: USA SECURITIES, LLC,	Debtor.	Date: OST Requested for January 31, 2007 Time: OST Requested for 9:30 a.m.
Affects: <input type="checkbox"/> All Debtors <input checked="" type="checkbox"/> USA Commercial Mortgage Company <input type="checkbox"/> USA Securities, LLC <input type="checkbox"/> USA Capital Realty Advisors, LLC <input checked="" type="checkbox"/> USA Capital Diversified Trust Deed Fund, LLC <input checked="" type="checkbox"/> USA First Trust Deed Fund, LLC		

Lenard E. Schwartzer, Esq. of Schwartzer & McPherson Law Firm, under penalties of perjury, hereby declares on this 24th day of January, 2007 that:

1. A Motion For An Order Enforcing The Automatic Stay To Prevent Foreclosure By Western United Life Assurance Company (the “Motion”) has been filed. This Motion requests an order of the Court pursuant to Section 362(a) and 105(a) of the United States Bankruptcy Code and Rule 9020 of the Federal Rules of Bankruptcy Procedure enforcing the automatic stay to prevent Western United Life Assurance Company (“WULA”) from conducting a foreclosure sale that would foreclose the interests of FTDF and DTDF.

2. Notice can be shortened pursuant to Bankruptcy Rule 9006(c)(1) and LR 9006(a).

3. This Motion is requested to be heard on shortened time because the first lien holder on the Montgomery County property has scheduled a foreclosure for February 6, 2007.

Dated: January 25, 2007

/s/ Lenard E. Schwartzer, Esq.
LENARD E. SCHWARTZER, ESQ